

March 28, 2012

Joint Committee on Judiciary  
Rm 2500, Legislative Office Building  
Hartford, CT 06105

MONICA FORE  
TESTIMONY AND EXHIBITS

***H.B. 456 -AN ACT CONCERNING HARASSMENT, ELECTRONIC HARASSMENT  
AND CYBERSTALKING.***

---

Dear Legislators,

Thank you for allowing me the opportunity to speak to you today regarding H.B. 456. It is an important bill but a bill that I believe only inflicts punishment on the public and not government officials. Harassment not only occurs by people in the community who threaten their neighbors or loved ones but also by government employees who abuse their positions to intentionally inflict pain on those whom they do not like.

On February 15<sup>th</sup> and 17<sup>th</sup>, I attended the judiciary hearings concerning the appointment and reappointment of judges. I listened to the answers the judges and attorneys gave to the judiciary committee in response to their questions. I also listened to the public's outcries for help because they were and still are being abused by judicial officials.

In particular, I was disheartened to hear responses from judges and attorneys who claimed that the dismissals of the public's complaints were rightfully dismissed. This is untrue. What is alarming is the fact that after government officials are cleared they are empowered by their colleagues to continue their harassment and retaliation against the individual who made a complaint against them.


I am here today to ask that the judiciary committee put an end to this abuse. Our country is built upon a checks and balance system. Currently, the Judicial Review Council and the Statewide Grievance Committee is not operating in the manner of which was set out in the Constitution of the United States nor the State of Connecticut. No branch or administrative agency can be an island of itself. These two agencies are operating as such.

Attached please find my request for the judiciary committee to make "null and void" the decision of the Judicial Review Council. The dismissal decision is based upon the continued harassment against me for speaking out in the community. There has been a well orchestrated plot by government officials to work from agency to agency to "dismiss" my complaints in their efforts

to kill the messenger. These individuals do not want people to know about the "nigger free" system that was in the City of Bristol to eradicate their "undesirables" from their community.

The attached letter to the judiciary committee fully outlines my concern and request. I am also concerned about the fact that Attorney Scott Murphy, Executive Director at the Judicial Review Council is administering his continued "racist" acts in his new position. This is harassment in that he was asked to remove himself from my complaints. But seeing that he did not, I had no other choice but to research my rights. In doing so, I discovered that the rules of the Judicial Review Council are unconstitutional and that they not only violate my right to due process and equal protection of the law but also the fundamental rights of the public.

In closing, I ask that the judiciary committee investigate the attached complaint.

Monica Fore   
583 Prospect Avenue, Unit 24  
West Hartford, CT 06105  
860-206-1440

March 25, 2012

Joint Committee On Judiciary  
Rm 2500, Legislative Office Building  
Hartford, CT 06106

RE: CONSTITUTIONAL LEGALITY OF THE JUDICIAL REVIEW COUNCIL

Dear Judiciary Committee:

Are judges, family support magistrates and workers compensation commissioners in Connecticut above the law? Do the decisions of the Judicial Review Council affect life, liberty and/or property? This letter seeks an answer from the judiciary committee in regards to these questions and seeks an answer as to the constitutional legitimacy of the Judicial Review Council. Currently, there is no process for the Respondent to provide an answer to the complainant, reply to the Respondents answer, or appeal process. Judges are given the authority to conduct the case as they please. The Complainant is also not afforded a hearing to ensure fairness in the process. This is unconstitutional as America is built upon a checks and balance system.

On February 15, 2012, during the judiciary committees hearing for the appointment and reappointment of judges, members of the judiciary committee had concerns regarding the public's complaints against judges and dismissals of the complaints by the Judicial Review Council. According to a judiciary committee member, "...Do you think the judge always are right? Always they make the right decisions? Or do you think that judges are—are above the law sometimes? Do you think that they can do whatever they want in court and it's okay because they are judges?" Tr. 2/15/12 p.36.

Although judges are afforded sovereign immunity for their official acts that immunity does not apply to all acts of a judge. Judges can be sued in a court of law. If a judge can be sued in a court of law than the procedural process of the Judicial Review Council should mimic that of all other administrative agencies in the State of Connecticut. That is, there should be upward mobility of all decisions to the highest court of the land, the United States Supreme Court. No one is supposed to be above the law. Taxpayers are paying for an administrative body that is an island of itself. It is an abusive process to the people of Connecticut because it does not properly protect the rights of the people. It is more a "system of protection" to guard against the people's rights. And still, if the people are allowed to appeal the trial court's decision (Superior Judge), then the same should be afforded to the complainant in the Judicial Review Council's process.

I further challenge the mission of the Judicial Review Council. According to their mission statement, the council "is to investigate and resolve complaints alleging misconduct,

disability, or substance abuse of state judges, family support magistrates and workers compensation commissioners in order to promote public confidence in the courts, and the integrity and independence of the judiciary by ensuring high standards of judicial conduct on and off the bench.”

As a Complainant to the Judicial Review Council, I hereby challenge the legitimacy of the decision given to me on or around Friday, March 22, 2012 for the following reasons: A) Due Process, and B) Equal Protection of the Laws.

#### A) DUE PROCESS

Is the Councils due process procedure fair to the Complainant? No. Does the complaint affect life, liberty, and/or property? Yes. The Due Process Clause serves two basic goals. One is to produce, through the uses of fair procedures, more accurate results: to prevent the wrongful deprivation of interests. The other goal is to make people feel that the government has treated them fairly by, say, listening to their side of the story.

Although it is probably the case that the framers used the phrase “life, liberty, or property” to be a shorthand for important interests, the Supreme Court adopted a more literal interpretation and requires individuals to show that the interests in question is either their life, liberty or their property- if the interest doesn’t fall into one of these three boxes, no matter how important it is, it doesn’t qualify for constitutional protection.

I hereby state that the actions of the Judicial Review Council affect not only my right to life, liberty and property but also the public’s right to life, liberty and property. Individuals who are making complaints against judges, commissioners and family support magistrates, are speaking out in regards to judges who are committing illegal and/or unlawful acts against them. Judges are not inhuman that they don’t retaliate against individuals for filing complaints against them. After all, their reputation is on the line.

Another important issue involving the complaint process is that taxpayers are paying for judges, commissioners and family support magistrates to be represented in civil suits filed against them. According to a member of the judiciary committee, “...do you believe that judges in the State of Connecticut who are sued in federal court should be defended for abuse of administrative – using the taxpayers money?” Tr. 2/15/12 p. 5. It is a violation of the people’s right of due process to have to pay for a judge, commissioner or family support magistrate to be represented with “your” money and yet allow that judicial official to abuse you at the same time.

As stated by Judge Axelrod, “Some of them have become very prolific in filing motions. They’ve learned how the system works, they’ve learned how to file their own motions and they keep coming back again and again and again.” What’s wrong with defending your rights? After all, look at the violations of the people’s rights when it comes to due process in numerous administrative proceedings. Is it wrong to go to court to protect your civil and human rights? Should the people instead take guns, knives or any other weapons to defend themselves just because a judge doesn’t want them coming back again and again to their court? And yet, bill collectors do it every day! Just because an individual is not a lawyer, is it wrong to learn to read

and understand the laws to defend yourself in a court of law when you can't afford an attorney? It is wrong for the people to want the process and Council to uphold the constitution due to the fact that the decisions of the judges affect the people's family, employment, financial status, housing and freedom as the judge can lock an individual up for years taking away their liberty. There should be a way that the people know their complaints are being taken seriously. The Judicial Review Council does not have an even handed process that protects the constitutional rights of the people. The process is a fraud on the people of Connecticut. As to the issues of concern:

#### Complaint Process

**ISSUE 1:** All proceedings of the Council, except public hearing, are confidential and not open to the complainant, public or press.

**ISSUE 2:** All decisions of the Council are final and not subject to review, except rights of appeal granted to the judge, compensation commissioner, or family support magistrate by statute.

#### CVIII Council Procedures

**ISSUE 3:** (no.6) The judge, compensation commissioner, or family support magistrate **MAY ELECT**, within 20 days after receipt of the notice, to send written reply to the Council and shall elect (a) that any investigation of probable cause shall be open to the public rather than closed as provided by statute and (b) whether to appear to be heard and to offer information in accordance with section 51-511 of the General Statutes.

**ISSUE 4:** (no.12) If, during the investigation, the Council decides that the facts disclose that a specific or particular act or conduct under section 51-51i of the General Statutes may have occurred, the complaint shall be the subject of a confidential hearing to determine whether probable cause exists to believe that said act or conduct occurred, otherwise it shall be dismissed.

Where in the above procedure does it allow for due process? Is the mere taking of a complaint considered due process? How can the council provide even handed justice when all of the facts are not on the table? How does the complainant know the position the judge or commissioner takes in order to [reply] to the judges [answer]? The process commits "fraud" on the people of Connecticut.

What is meant by "investigation"? A simple definition is, "to make a detailed inquiry. And still, the object of an investigation is to get to the facts so that a resolution of the complaint and situation can be achieved...Moreover, someone's job or well being might depend upon the

quality of the investigation. Thus, an investigation is not something that should be done haphazardly or without a clear plan mind.

The Judicial Review Council's complaint procedure is "haphazard" in that the Complainant is only given the right to make the complaint. Many of the Complainants are not attorneys. Some do not know how to articulate their concern in writing. Therefore, how does due process and equal protection of the law apply to them? As stated by Judge Axelrod, "I think more and more litigants who come before us are self-represented. As the judge with two self-represented parties you're almost acting as the attorneys for both of them that they have no idea what they're supposed to tell you..." Tr. 2/15/12 p.8. "...Other than that, the difficult cases that come through with the self-represented parties if you cannot find an attorney to handle it, legal services, as you pointed out is overburdened. They don't have additional staff to do it. The only way to handle it is for the judge to decide what the judge feels is the relevant information and try to get it before the court in order to render your decision." Tr. 2/15/12 p. 9.

The question then becomes, "What if the judge is racist and doesn't like people because of the color of their skin? What if a situation occurs such as in Bristol where the police had a "nigger free" system and cases came before the court and the prosecutor and/or judge participates in the act? If the Judicial Review Council is the place where the public is to go to have their complaints reviewed, then isn't it important that the due process be fair to that individual? Judges can lie just like everyone else. Judges commit crimes and other unlawful acts like everyone else. There is no perfect human being.

There is no appeal for the Complainant from the decision of the Judicial Review Council. Only judges can appeal. As stated in **P.B.74-1 Appeals from decisions of the judicial review council shall be taken within twenty days from the date the decision appealed from is received by the respondent judge. P.B. 74-5 Parties - Appeals from decisions of the judicial review council shall be taken within twenty days from the date the decision appealed from is received by the respondent judge. P.B. 74-6. Applicability of Rules** All proceedings subsequent to the filing of the appeal shall be governed by the rules applicable to appeals and appeals from administrative agencies.

## B) EQUAL PROTECTION OF THE LAW

Does reporting racial profiling and a "Nigger Free Radio Station" by governmental officials to the proper government authorities and a court afford the complainant the right to equal protection of the law? Does complaining about discrimination in motions and objections before the court, allow judicial officials the right to disregard an individual's case? Do judges, commissioners and family support magistrates have the right to participate in discriminatory conduct with other government officials?

According to the constitution, Equal Protection of the Law, is the right of all persons to have the same access to the law and courts, and to be treated equally by the law and courts, both in procedures and in the substance of the law. It is akin to the right to due process of law, but in particularly applies to equal treatment as an element of fundamental fairness. The principle is

stated in the 14<sup>th</sup> Amendment to the Constitution, "no state shall...deny to any person within its jurisdiction the equal protection of the laws.

The equal protection clause limits the ability of states to discriminate against people based on their race, national origin, gender or other status.

The Judicial Review Councils procedural process for Complainants allows for judges, commissioners and family support magistrates to discriminate against those whom they do not like. The complaints brought before the Council by Monica Fore deal with "racism, bigotry and hatred" by city officials and some state officials including judges and prosecutors. On January 1, 2012, the City of Bristol confessed to the misconduct going on in the city. This to include a racist radio station which the public knew as a "Nigger Free Radio." The judge whom Ms. Fore has filed a complaint against is the judge who handled most of the issues that came before the court. This to include illegal evictions and the loss of her job for reporting the misconduct.

The current Executive Director of the Judicial Review Council, Attorney Scott Murphy, was the State Attorney over the Bristol and New Britain Superior Court. The arrests made by the Bristol Police and housing cases came before these courts. Now that the city has confessed, it is questionable as to how Attorney Murphy is still dismissing my/our complaints when the truth is that these issues happened. The mere fact that innocent people have been arrested and evicted should cause the Judicial Review Council to look further into the case to see what part the judges, commissioners and family support magistrates played whether it was intentional or unintentional. More importantly, some people who didn't qualify for legal representation and who couldn't afford an attorney, had to represent themselves in the matter. Some had to take a plea because government officials used a "systemic approach" to the abuse. That is, if the police said you did it, then you did it.

A question was posed to a judge who was up for reappointment at the judiciary hearing on 2/15/12. "...do you also see a number of self represented people coming before you? Answer: "A number of the people are self represented." Question: "And can you tell us how that impacts what you do as a judge if someone's before you who's self-represented as opposed to with counsel?" Answer: "I think you have to be acutely aware of the fact that they are not going to have the knowledge or the expertise to present a situation to the court as would a represented person. And I think you have to keep that in mind..." Question: "And, I mean, many are represented through the public defender's office but then there's those who fall, I guess you could say in a gap, who don't make a lot of money yet make too much to qualify for a public defender." Answer: That's absolutely true and as I said, I do the arraignments and with respect to arraign people who are incarcerated. They're almost always represented by either private counsel or the public defender's office. But outside of that, I'd say the majority are self-represented." Tr. 2/15/12 p16

The question then becomes, "what if an individual is forced to represent him/herself because they cannot afford an attorney? What happens when a judge, commissioner or family support magistrate shows a bias towards the individual because the other side is represented by council and/or are state officials who are friends with the judge.

According to the rules of the Judicial Review Council, only the judges, commissioners and family support magistrates have a right to appeal. This is a lopsided procedure. More importantly, the public can easily read and see without any further evidence that their complaint is automatically going to be dismissed. If the Council was serious about the public's complaints they would have no problem giving people their fundamental right of due process of the law. As stated in the judiciary hearing, "...and all the complaints, the disposition is dismissed, dismissed, dismissed, dismissed. So this is – this is not surprising because this is not the first time that we have judges in front of us. And it's very rare that we have one – one of the complaints that they'll find something, always are dismissed." Tr. 2/15/12 p28. As further stated, "...I think that the Judicial Review Council, I think that we have to change that because it's very – it's very rare that they find something against a judge. It's always dismissed...I think that it's time for us to check the Judicial Review Council be that – something is wrong there." Tr. 2/15/12 p29.

More importantly, the procedure allows for retaliation against the individual making the complaint as the judge, commissioner, and/or family support magistrate know that nothing will happen to them. Will it then be arrest, dismissal of their lawsuit, longer prison sentence or the like?

#### CONCLUSION

In light of the above reasons, I ask the judiciary committee to make "null and void" the decisions of the Judicial Review Council in the case against Judge Patty Pittman and afford me my constitutional right of due process and equal protection of the law. I ask that the judiciary committee grant me a fair investigation as allowed by law.

Sincerely,

Monica Fore 

583 Prospect Avenue, Unit 24

West Hartford, CT 06105

860-206-1440